

1991—Subsec. (a). Pub. L. 102-25 struck out “of this subsection” after “clause (3)” in par. (2) and “of this section” after “subsection (b)” in concluding provisions.

Subsec. (b). Pub. L. 102-25, § 702(b)(1), struck out “of this section” after “subsection (a)”.

1990—Subsec. (b). Pub. L. 101-510 inserted “(20 U.S.C. 921 et seq.)” after “Education Act of 1978”.

1989—Subsec. (a). Pub. L. 101-189, § 625(a)(1), inserted “continental” before “United States” in pars. (1) and (3) and struck out “oversea” before “duty station” in par. (2).

Subsec. (b). Pub. L. 101-189, § 625(a)(2), inserted “continental” before “United States” in two places and substituted “outside the continental United States” for “in the oversea area”.

Subsecs. (d) to (f). Pub. L. 101-189, § 625(a)(3), added subsecs. (d) to (f).

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title VI, § 639(d), Dec. 28, 2001, 115 Stat. 1149, provided that: “The amendments made by this section [amending this section] shall apply with respect to travel described in subsection (b) of section 430 of title 37, United States Code, as amended by this section, that commences on or after the date of the enactment of this Act [Dec. 28, 2001].”

EFFECTIVE DATE OF 1989 AMENDMENT

Section 625(b) of Pub. L. 101-189 provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to travel and transportation commenced after the date of the enactment of this Act [Nov. 29, 1989].”

EFFECTIVE DATE

Section 910(b) of Pub. L. 98-94 provided that: “Section 430 of title 37, United States Code, as added by subsection (a), shall apply only with respect to travel begun after September 30, 1983.”

DEPENDENT STUDENT TRAVEL WITHIN UNITED STATES

For availability of Department of Defense funds for travel and transportation of dependent students of members of the Armed Forces stationed overseas for transportation allowances for travel within or between the contiguous States, see section 808 of Pub. L. 99-145, set out as a note under section 133 of Title 10, Armed Forces.

Pub. L. 98-212, title VII, § 799B, Dec. 8, 1983, 97 Stat. 1456, as amended by Pub. L. 98-396, title I, Aug. 22, 1984, 98 Stat. 1378, provided in part that: “After August 31, 1984, none of the funds appropriated to the Department of Defense for the travel and transportation of dependent students of military personnel stationed overseas shall be obligated for a transportation allowance for travel within or between the contiguous United States.”

§ 431. Benefits for certain members assigned to the Defense Intelligence Agency

(a) The Secretary of Defense may provide to members of the armed forces described in subsection (e) allowances and benefits comparable to those provided by the Secretary of State to officers and employees of the Foreign Service under paragraphs (2), (3), (4), (6), (7), (8), and (13) of section 901 and sections 705 and 903 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3), (4), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5.

(b) The authority of the Secretary of Defense to make payments under subsection (a) is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

(c) Members of the armed forces may not receive benefits under both subsection (a) and any other provision of this title for the same purpose. The Secretary of Defense shall prescribe such regulations as may be necessary to carry out this subsection.

(d) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) Subsection (a) applies to members of the armed forces who—

(1) are assigned—

(A) to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; or

(B) to the Defense Intelligence Agency and engaged in intelligence-related duties outside the United States; and

(2) are designated by the Secretary of Defense for the purposes of subsection (a).

(Added Pub. L. 99-145, title XIII, § 1302(b)(1), Nov. 8, 1985, 99 Stat. 738; amended Pub. L. 102-25, title VII, § 702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 104-93, title V, § 502(b), Jan. 6, 1996, 109 Stat. 973; Pub. L. 106-65, div. A, title X, § 1067(2), Oct. 5, 1999, 113 Stat. 774.)

CODIFICATION

Another section 431 was renumbered section 432 of this title.

AMENDMENTS

1999—Subsec. (d)(2). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Subsec. (a). Pub. L. 104-93, § 502(b)(1), substituted “described in subsection (e)” for “who are assigned to Defense Attaché Offices and Defense Intelligence Agency Liaison Offices outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection”.

Subsecs. (d), (e). Pub. L. 104-93, § 502(b)(2), (3), added subsecs. (d) and (e) and struck out former subsec. (d) which read as follows: “Regulations prescribed pursuant to subsection (a) shall be submitted to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate before such regulations take effect.”

1991—Subsecs. (b) to (d). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

DELEGATION OF AUTHORITY OF SECRETARY OF DEFENSE

Section 1302(b)(3) of Pub. L. 99-145, as amended by Pub. L. 100-180, div. A, title XIII, § 1314(d)(4), Dec. 4, 1987, 101 Stat. 1176, provided that: “The authority of the Secretary of Defense under section 431 of title 37, United States Code, as added by paragraph (1), may be delegated in accordance with section 113(d) of title 10, United States Code.”

[Amendment to section 1302(b)(3) of Pub. L. 99-145 by Pub. L. 100-180 effective Oct. 1, 1986, see section 1314(e)(2) of Pub. L. 100-180, set out as a note under section 413 of this title.]

§ 432. Travel and transportation: members escorting certain dependents

(a) Under regulations prescribed by the Secretary concerned, a member of a uniformed service may be provided round trip transportation and travel allowances for travel performed or to be performed under competent orders as an escort for the member's dependent when travel by the dependent is authorized by competent authority and the dependent is incapable of traveling alone because of age, mental or physical incapacity, or other extraordinary circumstances.

(b) Whenever possible, the Air Mobility Command or Military Sealift Command shall be used, on a space-required basis, for the travel authorized by this section.

(Added Pub. L. 99-661, div. A, title VI, § 615(a)(1), Nov. 14, 1986, 100 Stat. 3879, § 431; renumbered § 432, Pub. L. 100-26, § 8(b)(1), Apr. 21, 1987, 101 Stat. 285; amended Pub. L. 107-107, div. A, title IX, § 931(c), Dec. 28, 2001, 115 Stat. 1200.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 192 of Title 10, Armed Forces, prior to enactment of this section by Pub. L. 99-145.

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-107 substituted “Air Mobility Command” for “Military Airlift Command”.

EFFECTIVE DATE

Section 615(b) of Pub. L. 99-661 provided that: “Section 431 [now 432] of title 37, United States Code, as added by subsection (a), shall apply with respect to travel performed after September 30, 1986.”

§ 433. Allowance for muster duty

(a) Under uniform regulations prescribed by the Secretaries concerned, a member of the Ready Reserve who is not a member of the National Guard or of the Selected Reserve is entitled to an allowance for muster duty performed pursuant to section 12319 of title 10 if the member is engaged in that duty for at least two hours.

(b) The amount of the allowance under this section shall be 125 percent of the amount of the average per diem rate for the United States (other than Alaska and Hawaii) under section 404(d)(2)(A) of this title as in effect on September 30 of the year preceding the year in which the muster duty is performed.

(c) The allowance authorized by this section may not be disbursed in kind. The allowance may be paid to the member before, on, or after the date on which the muster duty is performed, but not later than 30 days after that date. The allowance shall constitute the single, flat-rate monetary allowance authorized for the performance of muster duty and shall constitute payment in full to the member, regardless of grade or rank in which serving, as commutation for travel to the immediate vicinity of the designated muster duty location, transportation, subsistence, and the special or extraordinary costs of enforced absence from home and civilian pursuits, including such absence on weekends and holidays.

(d) A member who performs muster duty is not entitled to compensation for inactive-duty

training under section 206(a) of this title for the same period.

(Added Pub. L. 101-189, div. A, title V, § 502(b)(1), Nov. 29, 1989, 103 Stat. 1436; amended Pub. L. 101-510, div. A, title XIV, § 1484(h)(5), Nov. 5, 1990, 104 Stat. 1718; Pub. L. 104-106, div. A, title XV, § 1501(d)(4)(B), Feb. 10, 1996, 110 Stat. 501; Pub. L. 105-85, div. A, title VI, § 627, Nov. 18, 1997, 111 Stat. 1795.)

AMENDMENTS

1997—Subsec. (c). Pub. L. 105-85 struck out “and shall be paid to the member on or before the date on which the muster duty is performed” after “disbursed in kind” in first sentence and inserted “The allowance may be paid to the member before, on, or after the date on which the muster duty is performed, but not later than 30 days after that date.” after first sentence.

1996—Subsec. (a). Pub. L. 104-106 substituted “section 12319 of title 10” for “section 687 of title 10”.

1990—Subsec. (a). Pub. L. 101-510 substituted “section 687 of title 10” for “section 691 of title 10”.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1990 AMENDMENT

Section 1484(h)(5) of Pub. L. 101-510 provided that the amendment made by that section is effective as of Nov. 29, 1989.

§ 433a. Allowance for participation in Ready Reserve screening

(a) ALLOWANCE AUTHORIZED.—(1) Under regulations prescribed by the Secretaries concerned, a member of the Individual Ready Reserve may be paid a stipend for participation in the screening performed pursuant to section 10149 of title 10, in lieu of muster duty performed under section 12319 of title 10, if such participation is conducted through electronic means.

(2) The stipend paid a member under this section shall constitute the sole monetary allowance authorized for participation in the screening described in paragraph (1), and shall constitute payment in full to the member for participation in such screening, regardless of the grade or rank in which the member is serving.

(b) MAXIMUM PAYMENT.—The aggregate amount of the stipend paid a member of the Individual Ready Reserve under this section in any calendar year may not exceed \$50.

(c) PAYMENT REQUIREMENTS.—(1) The stipend authorized by this section may not be disbursed in kind.

(2) Payment of a stipend to a member of the Individual Ready Reserve under this section for participation in screening shall be made on or after the date of participation in such screening, but not later than 30 days after such date.

(Added Pub. L. 110-181, div. A, title VI, § 633(a)(1), Jan. 28, 2008, 122 Stat. 154.)

§ 434. Subsistence reimbursement relating to escorts of foreign arms control inspection teams

(a) REIMBURSEMENT OF REASONABLE SUBSISTENCE COSTS.—Under uniform regulations pre-